

CHUCK CLARKE
Director



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3601 W. Washington • Yakima, Washington 98903-1164 • (509) 575-2800

July 28, 1992

Garret Horsley
Horsley Orchards
240 Borquin Road
Wapato WA 98951

Re: Emergency Drought Authorization - Garret Horsley
(see Ground Water Application No. G4-31341)

In accordance with the provisions of RCW 43.83B.405, it was ordered and determined by the Director of the Department of Ecology on June 29, 1992, that the Yakima River basin is under drought conditions. The Yakima River basin is comprised of Water Resource Inventory Areas 37, 38, and 39, naturally drained by the Yakima River and its tributaries.

Garret Horsley owns a portion of the W $\frac{1}{2}$ Section 5, T. 11 N., R. 20 E.W.M., SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6, T. 11 N., R. 20 E.W.M., SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32, T. 12 N., R. 20 E.W.M., of which 60.9 acres are served irrigation water by the Roza Irrigation District and 55 acres by the Union Gap Ditch.

In accordance with the guidance of Chapter 173-166 Washington Administrative Code (WAC) and the Drought Declaration Order, the Washington State Department of Ecology is issuing an Emergency Drought Authorization with the following limitations and conditions:

This EMERGENCY AUTHORIZATION will terminate on or before December 1, 1992, (the effective duration of the Order of Drought Declaration), unless sooner revoked by the Director of the Department of Ecology. This authorization shall in no manner imply or be construed to guarantee that a final (regular) permit will issue for the future use of the facility herein authorized. Ground Water Application No. G4-31341 was submitted to the Department of Ecology on July 9, 1992. A formal permit decision will be made at a future undetermined date.

Withdrawal/diversion of water under this authorization may be limited or otherwise regulated in favor of senior rights.

Yakima River water delivered by the Roza Irrigation District is normally available to serve 60.9 acres within the parcel described below.

There is less than 75% of normal water supply available for delivery to the Horsley property described above that is served by the Roza Irrigation District due to drought conditions in the Yakima River drainage basin. Mr. Horsley has requested in writing, authorization to construct emergency wells to supplement irrigation water normally delivered by the Roza Irrigation District.

FILE COPY

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The Horsley property served by the Union Gap Ditch is expected to receive 88% of normal water supply. This level of shortfall does not qualify for Drought Emergency Authorization under RCW 43.83B.400. Supplemental irrigation water can be provided to this portion of the property under Ground Water Certificate No. G4-24494C. Authorization under Ground Water Application No. G4-31341 for property serviced by the Union Gap Ditch is therefore denied.

The emergency sources authorized are two wells to be located approximately: (1) 500 feet east from the W $\frac{1}{4}$ corner of Section 5, T. 11 N., R. 20 E.W.M., being within the E $\frac{1}{2}$ S $\frac{1}{4}$ of Section 5; (2) 100 feet west and 800 feet north from the E $\frac{1}{4}$ corner of Section 6, T. 11 N., R. 20 E.W.M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6.

The following construction requirements must be satisfied before water use as described below can be started.

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage may be installed in addition to the access port.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

These wells are authorized to be constructed into the sedimentary deposits known as the Ellensburg Formation and shall be cased and effectively sealed a minimum of 18 feet below land surface.

Monthly power meter readings shall be submitted to the Central Regional Office of the Washington State Department of Ecology during the entire period when water is being withdrawn under this right.

This EMERGENCY AUTHORIZATION is specifically to make up for deficits in the primary water supply described above. The quantity of water is limited to 700 gpm/1.5 ac-ft/ac or 91.4 total acre-feet for irrigation of 60.9 acres located within the following described place of use:

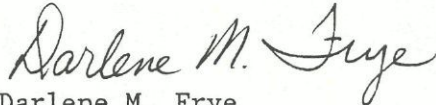
SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T. 12 N., R. 20 E.W.M. and the NW $\frac{1}{4}$ of Section 5, T. 11 N., R. 20 E.W.M., Yakima County.

You have the right to obtain review of this order. Request for review must be made, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia, Washington 98504-0903. Concurrently, a copy of the request must be sent

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to the Department of Ecology, PO Box 47600, Olympia, Washington 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,



Darlene M. Frye
Technical Unit Supervisor
Water Resources Program

DMF:gh
920798.ep

Enclosure(s): Ground Water Bulletin No. 1
 Receipt No. 183232

cc: Wendell Hannigan, Yakima Indian Nation